

**MINUTES
HISTORIC PRESERVATION BOARD
CITY OF DELRAY BEACH**

MEETING DATE: December 1, 2021

MEETING PLACE: City Commission Chambers

1. CALL TO ORDER

The meeting was called to order by Benjamin Baffer, Chairman at 5:06 P.M.

2. ROLL CALL

A quorum was present.

Members present were Benjamin Baffer, Chairman, Alyse Lemstrom (arrived 5:56 P.M.), Vice Chairman, Claudia Willis, 2nd Vice Chairman, Jim Chard, Robert Osinoff and Rhonda Sexton.

Absent Kristin Finn

Staff present were Kelly Brandon, Assistant City Attorney; Anthea Gianniotis, Development Services Director; Michelle Hoyland, Principal Planner; Michelle Hewett, Planner and Diane Miller, Board Secretary.

3. APPROVAL OF AGENDA

Item C amended to become item B

Item B amended to become item C

Motion to APPROVE the December 1, 2021, agenda as revised by Jim Chard and seconded by Claudia Willis.

MOTION CARRIED 5-0

4. Board Discussion- Landscaping

Jim Chard utilized a PowerPoint presentation regarding landscaping standards. The goal is to promote the installation, restoration, and preservation of existing landscaping. The Secretary of the Interior provides regulatory requirements regarding landscaping located on historic sites. Always Delray provides regulations regarding landscape standards, the tree canopy assessment. Landscape projects conducted by the Institute for Regional Conservation were mentioned.

Robert Osinoff inquired regarding invasive plant species and how they are detrimental to native species. Current Land Development Regulations do enumerate prohibited plant species.

Claudia Willis inquired as to why the Board does not review landscape site plans for single family and duplex properties, currently the Land Development Regulations permit the property owners to submit a Landscape Permit without a required prior approval from the Historic Preservation Board.

A tree preservation ordinance provides landscape standards for residential properties, Anthea Gianniotis noted that Development Services will continue to apply the standards listed in the LDR that provides criteria regarding tree removals and mitigation requirements.

Jim Chard proposed that the City utilize public property and encourage private property owners to install pocket parks and micro forests to increase the city tree canopy.

MOTION to have the chair work with city staff to draft a memorandum to amend the City's Land Development Regulations to provide the Historic Preservation Board the purview to review landscape plans for single family residences, to advise the City Commission to evaluate the feasibility of installing tiny forests on public properties throughout the City. Lastly, to amend the Land Development Regulations to define the meaning of a "legacy tree" made by Benjamin Baffer and seconded by Robert Osinoff.

MOTION CARRIED 5-0

5. MINUTES

None

6. SWEARING IN OF THE PUBLIC

Benjamin Baffer, Chairman read the Quasi-Judicial Rules for the City of Delray Beach and Ms. Miller swore in all who wished to give testimony.

7. COMMENTS FROM THE PUBLIC

Angela Marsh 101 SE 1st Avenue- opposes the variances and waivers that were granted to construct additions to the existing historic structures.

Robert Brunelle 105 SE 7th Avenue- was not notified of the Historic Preservation Board meeting on November 6, 2019, in addition Mr. Brunelle stated that the 2nd story addition will negatively affect the use of his home.

8. PRESENTATION

None

9. QUASI-JUDICIAL HEARING ITEMS

A. Certificate of Appropriateness (2021-239): Consideration of a Certificate of Appropriateness request associated with the alteration of the historic fountain situated at the center of the property.

Address: 110 Marine Way, Marina Historic District

Owner/Applicant: 1250 Crain Highway, LLC; JGDeleonibus@gmail.com

Agent: M. Peg Delp; mmpdllc@gmail.com

Michelle Hoyland, Principal Planner entered project file 2021-239 into the record.

Applicant Presentation

Michael Weiner, Attorney representing the owner- Sach Sax Caplan P.L. 6111 Broken Sound Parkway NW Suite 200 Boca Raton FL, 33487

John Deleonibus, Owner utilized a PowerPoint presentation and a video presentation of the replacement tile installed around the pond.

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft PowerPoint presentation.

Alyse Lemstrom arrived at 5:56pm.

Experte

Benjamin Baffer – Received email from applicant

Claudia Willis – Received email from applicant

Jim Chard- Received email from applicant, walked around the site

Alyse Lemstrom- Received email from applicant

Robert Osinoff- Received email from applicant

Rhonda Sexton- Received email from applicant

Public Comment

David Schmidt, Attorney- 766 SE 6th Avenue represents Angela Marsh 101 SE 6th Avenue and Robert Brunelle 105 SE 6th Avenue. Oppose the issuance of a COA for the pond.

Rebuttal

Michael Weiner stated that matching does equate to duplication, accordingly the replacement tiles do not need to duplicate/ mirror the original period tiles.

Board Comments

Benjamin Baffer does not believe that the field tile is in accordance with historic preservation standards, the applicant has not taken the Board direction resulting from the November 3rd, 2021, meeting.

Claudia Willis stated that the Secretary of interior standards requires replication of the original tiles.

Rhonda Sexton echoed Ms. Willis belief that the new tiles need to be a duplicate of the original period tiles, the new tiles do not match anything on the property.

Jim Chard stated that replacement tile must match and replicate the original period tile. Mr. Chard and Ms. Lemstrom interpretation dictates that the sunflower tiles need to replicate the original tile design.

MOTION to Deny Certificate of Appropriateness (2021-239), requests for the property located at 110 Marine Way, Marina Historic District, by finding that the request is inconsistent with the Comprehensive Plan and does not meet the criteria set forth in the Land Development Regulations made by Rhonda Sexton and seconded by Claudia Willis.
MOTION WITHDRAWN.

MOTION to approve the Certificate of Appropriateness (2021-239), for the property located at 110 Marine Way, Marina Historic District by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations subject to the following conditions, that all tiles be replaced with replica that mirror the original tiles made by Alyse Lemstrom and seconded by Jim Chard.
MOTION CARRIED 6-0

B. Certificate of Appropriateness (2021-102): Consideration of Certificate of Appropriateness for an after the fact demolition and after the fact change in floor elevation to the existing individually designated property.

Address: 212 Seabreeze Avenue a.k.a The Sewell C. Biggs House, Individually Listed to the Local Register of Historic Places

Owner/Applicant: Michael and Antonina Marco; michaelmarco@gmail.com

Michelle Hoyland, Principal Planner entered project file 2021-102 into the record.

Applicant Presentation

Michael Weiner, Attorney representing the owner- Sach Sax Caplan P.L. 6111 Broken Sound Parkway NW Suite 200 Boca Raton FL, 33487

Michael Marco- Owner

RJ Heisenbottle- Architect 2199 Ponce de Leon Blvd., Suite 400 Coral Gables, FL 33134

Roger Cope- Architect Cope and Associates 701 SE 1st Avenue FL 33483

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft PowerPoint presentation.

Experte

Benjamin Baffer – Neighbor, applicants are person friends, toured the site, spoke with architect

Claudia Willis – received an email and was a neighbor of the applicant

Jim Chard- Drove by the Building

Alyse Lemstrom- None

Robert Osinoff- None

Rhonda Sexton- None

Public Comment

Ken Shaffer 1117 Vista Del Mar Drive- requested that the Board to approve the Certificate of Appropriateness so that the construction of the home can finally be completed.

Dan Sloan 106 SE 7th Avenue- Supportive of the plans submitted, the original plans did not have a demolition plan, the plans did indicate that several portions of the structure would be replaced. The city should have requested a demolition plan to avoid any ambiguities in the future.

Jim Miller 206 Seabreeze Avenue- has observed the structure deteriorate over time and would like the project to be completed.

Board Comments

Rhonda Sexton indicated that the standards set forth in the Secretary of the Interior requires that this reconstruction be considered a new construction and needs to be designated as a new construction and a replication of an existing building.

Benjamin Baffer wanted to make sure that the reconstruction was conducted in a manner that ensured that the structure would remain individually designated as a historic structure. Mr. Heisenbottle indicated that the structure would remain listed as a historic structure. Mr. Baffer was supportive of raising the structure due to flooding concerns in the area.

Claudia Willis is supportive of the project.

Robert Osinoff was understanding as to the situation the applicants find themselves, in addition he stated that the Department of Interior provides guidelines for reconstruction, it requires an accurate replication of the existing structure. Mr. Osinoff found that the proposed reconstruction meets the standards set in the City's Land Development Regulations and in addition meet the standards set in the Secretary of the Interior's standards.

Alyse Lemstrom stated that she did not believe that the demolition was intentional, was supportive of the project.

Jim Chard asked staff whether a recording of the architectural details of the structure have been recorded and if any architectural details have been identified and preserved. The original ground floor was not enclosed, the proposed design allows for a clear glass to enclose the ground floor.

MOTION to move to approve Certificate of Appropriateness (2021-102), for after the fact demolition, a change in finish floor elevation to + 7' NAVD (relocation) and a contemporary reconstruction of the existing historic house, by finding that the request and approval thereof is consistent with the City of Delray Beach Land Development Regulations and Visual Compatibility Standards and the Secretary of the Interiors Standards and Guidelines made by Claudia Willis and seconded by Alyse Lemstrom.

MOTION CARRIED 6-0

C. Certificate of Appropriateness (2021-199): Consideration of Certificate of Appropriateness request for the construction of additions and exterior modifications to a contributing property.

Address: 330 NE 1st Avenue, Old School Square Historic District

Owner/Applicant: Stephen & Laura Derrickson; steve@thederricksons.com

Agent: Dan Sloan; dsloan@sloandesign.biz

Michelle Hoyland, Principal Planner entered project file 2021-199 into the record.

Applicant Presentation

Dan Sloan – Architect 106 SE 7th Avenue, Delray Beach, FL 33483

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft PowerPoint presentation.

Experte

Benjamin Baffer – None

Claudia Willis – Walked the property

Jim Chard- Walked the property

Alyse Lemstrom- None

Robert Osinoff- None

Rhonda Sexton- None

Public Comment

Roger Cope 701 SE 1st Street – was supportive of the project and does not feel that with the proposed additions green space will be an issue.

Board Comments

Claudia Willis is concerned regarding the massing on the southern portion of the structure but was supportive of the proposed alternate driveway to increase the greenspace.

Jim Chard wanted clarification from the applicant regarding the existing native tree and to increase the tree canopy.

Rhonda Sexton was supportive of alternative ribbon driveway design.

MOTION to approve Certificate of Appropriateness (2021-199) for the property located at 330 NE 1st Avenue, Old School Square Historic District, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations was made by Jim Chard and seconded by Robert Osinoff.

MOTION CARRIED 5-1, Dissenting Claudia Willis

D. Certificate of Appropriateness (2021-165): Consideration of Certificate of Appropriateness, Variance, and Waiver request for the construction of additions and exterior modification to the existing individually designated property.

Address: 610 N. Ocean Boulevard, Individually Listed to the Local Register of Historic Places

Owner/Applicant: Frank and Nilsa McKinney; frank@frank-mckinney.com

Agent: Roger Cope; Cope copearchitectsinc@gmail.com; 701 SE 1st Avenue, Delray Beach FL 334836

Michelle Hoyland, Principal Planner entered project file 2021-165 into the record.

Exparte

Benjamin Baffer – None

Claudia Willis – None

Jim Chard- None

Alyse Lemstrom- None

Robert Osinoff- None

Rhonda Sexton- None

Applicant Presentation

Roger Cope- Architect Cope SE 1st Avenue, Delray Beach FL 334836

701 SE 1st Avenue FL 33483

Nilsa McKinney- Owner

Staff Presentation

Michelle Hoyland, Principal Planner presented the project from a Microsoft PowerPoint presentation.

MOTION to extend the meeting was made by Jim Chard and seconded by Robert Osinoff.

MOTION CARRIED 4-2, Dissenting Rhonda Sexton and Benjamin Baffer

Public Comment

George Long 46 N Swinton Avenue- Mr. Long was supportive of the proposed alterations.

Rebuttal

Michelle Hoyland indicated that City staff met with the applicant, the applicant submitted a sample to the Board, the whitewash was lighter than originally proposed in the November meeting.

Roger Cope indicated that the proposed whitewash would be applied over any existing whitewash.

Board Comments

Benjamin Baffer indicated that the applicant did address the Boards concerns expressed during the November 3, 2022 meeting.

Claudia Willis inquired as to how the applicant will make proposed additions subordinate, it was indicated that the design of the additions not the massing will subordinate from the original structure. Ms. Willis had concerns regarding the massing on the western portion of structure and voiced opposition to the request as the additions to the main structure are not subordinate.

MOTION to approve Certificate of Appropriateness (2021-165), Waiver, & Variance, for the property located at 610 N. Ocean Boulevard, Individually Listed to the Local Register of Historic Places, by finding that the request and approval thereof is consistent with the Comprehensive Plan and meets the criteria set forth in the Land Development Regulations made by Jim Chard and seconded by Robert Osinoff.

MOTION CARRIED 4-2, Dissenting Alyse Lemstrom and Claudia Willis

10. LEGISLATIVE ITEMS – CITY INITIATED

None

11. REPORTS AND COMMENTS

A. Staff Comments

The January 5th, 2022, meeting will be regarding Sundry Village.

B. Attorney Comments

None

C. Board Comment

Claudia Willis requested an update regarding the structures known as Swinton Social located at 27 S Swinton Avenue.

12. ADJOURN. There being no further business to come before the Board, the meeting was adjourned at 11:40pm.

The undersigned is the Secretary of the Historic Preservation Board and the information provided herein is the Minutes of the meeting of said body for **December 1, 2021**, which were formally adopted and APPROVED by the Board on _____.

ATTEST:

Chairman

Board Secretary

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